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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

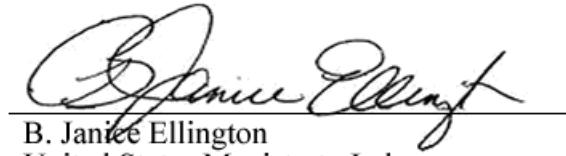
GERALD CAIN, II,	§
	§
Plaintiff,	§
VS.	§ CIVIL ACTION NO. C-04-364
	§
TDCJ-CID DIRECTOR, ET AL.,	§
	§
Defendants.	§

**ORDER DENYING MOTION TO REOPEN DISCOVERY AS TO PLAINTIFF'S CLAIM  
THAT HIV-INFECTED INMATES SERVE FOOD AND DENYING AS MOOT MOTION  
TO AMEND PLAINTIFF'S OBJECTIONS TO THE DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT**

Pending are plaintiff's motion to reopen discovery on plaintiff's claim that HIV-Infected inmates serve food and his motion to amend his objections to the defendant's motion for summary judgment (D.E. 38-1, 38-2). Plaintiff's motion to reopen discovery (D.E. 38-1) is denied. Determining the total number of inmates infected with HIV is not relevant to plaintiff's claim that policies regarding HIV infected inmates in food service jobs are being

violated. Plaintiff's motion to supplement his objections to the defendant's motion for summary judgment (D.E. 38-2) is denied as moot.

ORDERED this 3rd day of June, 2005.



B. Janice Ellington  
United States Magistrate Judge